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Attorneys for Plaintiff
Bartell Hotels, a California Limited Partnership,
dba Half Moon Anchorage

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BARTELL HOTELS, A California Limited
Partnership, dba HALF MOON ANCHORAGE,

Plaintiff,

v.

M/Y CLAIRE IRENE, a 1968 Owens Motor
Yacht of Approximately 40-Feet In Length And
11-Feet In Beam, Bearing California D.M.V.
Registration No. CF 8646 ED, AND ALL OF
HER ENGINES, TACKLE, ACCESSORIES,
EQUIPMENT, FURNISHINGS AND
APPURTENANCES, *in rem*,

Defendant.

Civil No. 07 CV 2097 L (BLM)

IN ADMIRALTY

NOTICE OF MOTION AND
MOTION FOR INTERLOCUTORY
VESSEL SALE

F.R.C.P. Supplemental Admiralty
Rule E(9)

SUBMITTED ON PAPERS
(Oral Arguments Not Requested)

Date: July 14, 2008

Time: 10:30 a.m.

Judge: Hon. M. James Lorenz

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on July 14, 2008, at 10:30 a.m., or as soon thereafter
as the matter may be heard in Courtroom 14 (5th Floor) of the Southern District Court
located at 880 Front Street, San Diego, California 92101, Plaintiff BARTELL HOTELS, a
California Limited Partnership, dba HALF MOON ANCHORAGE will and hereby does
respectfully move the Court:

To order the interlocutory sale of the Defendant Vessel, M/Y CLAIRE IRENE, a 1968
Owens Motor Yacht of Approximately 40-Feet In Length And 11-Feet In Beam, Bearing
California D.M.V. Registration No. CF 8646 ED, together with all of her engines, tackle,

1 accessories, equipment, furnishings and appurtenances, where she lies, at public auction
2 conducted by the offices of the United States Marshal Service, as the soonest time possible
3 time.

4 Said Motion is based upon this Notice of Motion, the Declaration of Brad Oliver in
5 Support of Motion for Interlocutory Vessel Sale, the Declaration of Philip E. Weiss in
6 Support of Motion for Interlocutory Vessel Sale, Memorandum of Points and Authorities in
7 Support of Interlocutory Vessel Sale, all records and pleadings on file with the Court, and
8 such oral arguments as the Court may require. Oral argumentation is not requested.

9 DATED: May 30, 2008

WEISS & JONES, L.L.P.

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11 By: s/Philip E. Weiss
12 Attorneys for Plaintiff
13 Bartell Hotels, a California Limited
14 Partnership, dba Half Moon Anchorage
15 E-mail: shiplaw@earthlink.net
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5 Attorneys for Plaintiff
Bartell Hotels, a California Limited Partnership,
6 dba Half Moon Anchorage
Attorney for Plaintiff
7

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 BARTELL HOTELS, A California Limited
Partnership, dba HALF MOON ANCHORAGE,

12 Plaintiff,

13 v.

14 M/Y CLAIRE IRENE, a 1968 Owens Motor
15 Yacht of Approximately 40-Feet In Length And
11-Feet In Beam, Bearing California D.M.V.
16 Registration No. CF 8646 ED, AND ALL OF
HER ENGINES, TACKLE, ACCESSORIES,
17 EQUIPMENT, FURNISHINGS AND
APPURTENANCES, *in rem*,

18 Defendant.
19

Case No. 07 CV 2097 L (BLM)

IN ADMIRALTY

DECLARATION OF SERVICE

F.R.C.P. Supplemental Admiralty
Rules C and E.

46 U.S.C. Sections 30101-31343

20
21 **DECLARATION OF SERVICE**

22 **STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

23 I am employed in San Diego County, State of California. I am over the age of eighteen (18)
24 and not a party to this action; my business address is 1551 Shelter Island Drive, San Diego,
25 California 92106. On May 30, 2008, I served the following document(s) described as:

- 26 - **Notice of Motion and Motion For Interlocutory Vessel Sale**
27 - **Points and Authorities In Support of Motion For Interlocutory Vessel Sale and**
28 **Authorization To Credit Bid**

- **Declaration of Brad Oliver In Support of Plaintiff's Motion For Interlocutory Vessel Sale**
- **Declaration of Philip E. Weiss In Support of Plaintiff's Motion For Interlocutory Vessel Sale**
- **[Proposed] Order For Interlocutory Vessel Sale**

on the interested parties in Case No. 07 CV 2097 L (BLM) by placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

Mr. Kurt Hach

19918 Chase Street

Canoga Park, CA 91306

☐ **(BY PERSONAL SERVICE):** Personal service accomplished by ☐ attorney service or ☐ _____, employed by Weiss & Jones.

☐ (BY FACSIMILE AS INDICATED ABOVE): I caused the foregoing document(s) to be sent via facsimile transmission to the above addressee(s) at the facsimile numbers indicated above.

[X] (BY U.S. MAIL AS INDICATED ABOVE): As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after deposit for mailing in affidavit.

[] (STATE): I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

[X] (FEDERAL): I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Dated: May 30, 2008

Tamara Beehm

Tamara Geehan

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